

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR**



March 30, 2015

Mr. Paul Tummonds
Goulston & Storrs
1999 K Street, NW-5th Floor
Washington, DC 20006

RE: Proposed Development of 7201-7239 Georgia Avenue, NW

Dear Mr. Tummonds:

This letter addresses and confirms the issues that were discussed in our recent meeting regarding the proposed development of the property located at 7201 – 7239 Georgia Avenue, NW (the “Property”). The Property is located in the R-5-B Zone District and has frontage on Georgia Avenue, NW, Fern Place, NW and Elder Street, NW. It is my understanding that a multi-family project consisting of 42 stacked townhouses and 18 flats, for a total of 60 dwelling units (the “Project”), will be constructed on the Property. This type of residential use is permitted as a matter-of-right in the R-5-B Zone District.

Sufficiency of Proposed Connections Between Portions of the Building

As shown on the attached site plan/elevations/floor plans, the portions of the building that have frontage along Fern Place, NW and Elder Street, NW will be connected to the portion of the building which has frontage along Georgia Avenue, NW via a trellis structure at the first floor level. The trellis structure will consist of horizontal beams spanning between the portions of the building with frontage along Georgia Avenue, NW and the portions of the building with frontage on Fern Place, NW and Elder Street, NW. These beams will support perpendicular members that are spaced no greater than 24 inches apart. The trellis will provide shelter and passage to and from the different portions of the building, as doors to residential units are provided on each end of the trellis. As described above, this trellis connection is sufficient to consider the Project as a single building for zoning purposes pursuant to the definition of “Building” as set forth in Section 199.1.

FAR Calculation for the Lower Level of the Building

It is my understanding that an ADA accessway is provided for the units located in the cellar level of the building on the side of the building adjacent to the parking lot. Since this accessway extends for the entire length of the building which is parallel to the Georgia Avenue, NW and Fern Place, NW and Elder Street, NW frontages of the building, I determine that the adjacent finished grade of this perimeter wall of the building must be measured at the bottom of the ADA accessway. Based on the attached Concept Site Plan (Annotated Site Plan +

Calculations), it is my understanding that 48% of this level will be counted towards the building's permitted FAR, based on the perimeter wall method calculation of gross floor area.

Confirmation of Building Height Measuring Point, Rear and Side Yard Calculations

The Property abuts three streets (Fern Place, NW, Elder Street, NW, and Georgia Avenue, NW). Pursuant to Section 404.2, the rear yard of a property that abuts three streets may be measured from the center line of the street abutting the lot at the rear of the structure. Section 400.21 notes, "If a building fronts on more than one (1) street, any front may be used to determine street frontage; but the basis for measuring the height of the building shall be established by the street selected as the front of the building." In addition, Section 400.16 states, "The building height measuring point (BHMP) shall be established at the existing grade at the mid-point of the building façade of the principal building that is closest to a street lot line." Pursuant to Section 405.9, the R-5-B Zone District does not require a side yard.

As shown on the attached Concept Site Plan (BHMP and Yard Calculations), it is my understanding that the BHMP for the building will be established at the existing grade at the mid-point of the building along Fern Place, NW. For purposes of calculating the required rear yard, Fern Place, NW has been selected as the front of the building and the rear yard is measured to the mid-point of Elder Street, NW. It is also my understanding that a canopy is proposed for the entire length of the building's façade along Georgia Avenue, NW. This canopy extends to the property line along Georgia Avenue, NW. Therefore, there is no side yard provided along Georgia Avenue, NW and there is no side yard provided along the public alley that connects Fern and Elder Streets, NW at the eastern end of the property. Based on this information, I find that the proposed BHMP and the proposed rear and side yard calculations for the Project are consistent with Sections 404.2, 400.21, 400.16 and 405.9.

Parking and Loading

The Project will include 44 parking spaces in a surface parking lot and a small parking deck (I note that the portion of the parking deck which is above-grade will need to be included in the calculation of the Project's FAR and Lot Occupancy) which will be adjacent to and accessed from the public alley to the east of the property. The R-5-B Zone District requires one parking space for every two residential units, so the 44 parking spaces provided in the Project satisfies the parking space requirement. Residential buildings with more than 50 units in the R-5-B Zone District are required to provide one loading berth at 55 feet deep, one service delivery parking space, and a 200 square foot loading platform. Based on the attached Concept Site Plan (Parking Calculation Diagram), the Project satisfies the parking and loading requirements of the Zoning Regulations.

Roof Structures

The Zoning Regulations, pursuant to Section 411 et seq., require that all penthouses and mechanical equipment shall be placed in one enclosure and that the enclosing walls from the roof level shall be of equal height. I note that the attached Concept Elevation (Georgia Avenue

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Partial Elevation) depicts a trellis structure which connects the individual roof access enclosures to create a single roof structure in satisfaction of Section 411 of the Zoning Regulations.

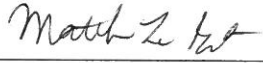
Inclusionary Zoning

Because the Project involves the construction of a new development of more than 10 units, the Project is subject to the requirements of Inclusionary Zoning in Chapter 26. In the R-5-B zone assuming stick-built construction, Section 2603.1 requires shall devote the greater of 10% of the gross floor area being devoted to residential use or 75% of the bonus density being utilized for inclusionary units. Half of the affordable units must be for households making 50% or less of the AMI, and half must be for households making 51-80% of the AMI.

Conclusion

Assuming that all other applicable requirements of the Zoning Regulations are satisfied, I conclude that the proposed Project is permitted in the R-5-B Zone as a matter-of-right. Please feel free to contact me if you have any questions regarding the issues addressed in this letter.

Sincerely,



Matthew Le Grant
Zoning Administrator

Attachment: Plan Set